



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
PROGRAM PLANNING AND INTEGRATION  
Silver Spring, Maryland 20910

FEB 4 2005

Dear Reviewer:

In accordance with provisions of the National Environmental Policy Act of 1969, we enclose for your review the Draft Environmental Impact Statement (DEIS) for the State of Washington Draft Forest Practices Habitat Conservation Plan (FPHCP). You are receiving a CD copy of the DEIS, that also includes the Draft FPHCP and associated documents. These documents are also available on the web at: <http://westernwashington.fws.gov/CONSPLAN/docs.html> (DEIS) and <http://www.dnr.wa.gov/htdocs/agency/federalassurances/> (FPHCP) and hard copies may be reviewed at most Washington State libraries. The Federal actions considered in these documents for the State of Washington are: 1) the issuance of Incidental Take Permits (ITP) by NOAA Fisheries and the U.S. Fish and Wildlife Service (collectively the Services) under section 10 of the Endangered Species Act (ESA) and/or 2) NOAA Fisheries' issuance of a limit on the application of the prohibition against take under section 4(d) of the ESA and the U.S. Fish and Wildlife Service's consideration of similar rulemaking under section 4(d).

These proposed Federal actions are in response to applications submitted by the Department of Natural Resources on behalf of the State of Washington. These applications include the current Washington Forest Practices Rules and serve as the foundation of the FPHCP. The Washington Forest Practice Board and the Department of Natural Resources are not proposing any state rule changes as part of these applications.

The proposed term of ITPs, issued by each of the Services, is 50 years. The ITPs would provide coverage for incidental take of covered species (ESA listed and unlisted) that may be taken incidentally to otherwise lawful forest practices activities regulated by the Washington Forest Practices Act, located primarily on non-Federal and non-tribal forestlands in Washington. The section 4(d) limit on the application of the prohibition against take would be only for those threatened species identified in the current NOAA Fisheries 4(d) rule (Limit 13) or to specific threatened species included in any new, relevant section 4(d) rules issued by NOAA Fisheries or the U.S. Fish and Wildlife Service. The term of a section 4(d) limit would be indefinite, subject to periodic review.

The FPHCP includes the State's Forest Practices Rules and administrative program, including an adaptive management program. The FPHCP seeks to protect and restore habitat of covered species affected by forest road construction, use and maintenance, timber harvest, and most silvicultural activities conducted on non-Federal and non-tribal forestlands. The other alternatives considered in this DEIS include no action, the issuance of a section 4(d) limit on the application of the prohibition against take of certain threatened species only, and a more restrictive conservation plan for listed and covered species.

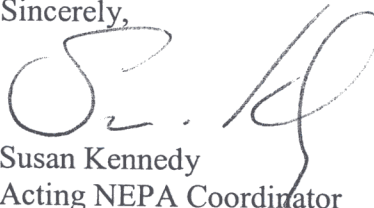
The Services are required by law to allow at least 45 days for public review of a DEIS. By policy, the Services usually allow a minimum of 60 days. In this instance, as with other large-scale conservation plans, the public is provided 90 days to review and comment on this DEIS. As noted within the DEIS, the Washington State Legislature has expressed its expectation that



the Services act on this application by June 30, 2005. While this date is not legally binding on the Services, they are attempting to respect this stated policy objective of the Washington State Legislature. Therefore, the reviewer is urged not to anticipate an extension of the comment period and to submit comments within 90 days.

Please submit written comments to Sally Butts, Project Manager, U.S. Fish and Wildlife Service, 510 Desmond Drive SE, Suite 102, Lacey, Washington 98503-1263, telephone (360) 753-5832, facsimile (360) 753-9518. Comments may also be submitted by e-mail to: [ForestPracticesHCP.nwr@noaa.gov](mailto:ForestPracticesHCP.nwr@noaa.gov). If possible, please forward a copy of your comments to my staff at the NOAA Strategic Planning Office (PPI/SP), SSMC3, Rm. 15603, 1315 East-West Hwy, Silver Spring, MD 20910; or by fax to (301)713-0585; or by e-mail to [nepa.comment@noaa.gov](mailto:nepa.comment@noaa.gov). Electronic comments should use the comment subject heading "Forest Practices HCP DEIS." Comments must be received by the end of the 90-day comment period (May 12, 2005).

Sincerely,

A handwritten signature in black ink, appearing to read "S. Kennedy", is written over the typed name and title.

Susan Kennedy  
Acting NEPA Coordinator

Enclosure